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*ATTORNEYS FOR DEFENDANT ADECCO USA, INC.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

KAITLYN SHEPARDSON,  
individually, and on behalf of other members  
of the general public similarly situated,

CASE No.: 3:15-cv-05102-EMC  
(SAN MATEO SUPERIOR COURT CIV 535091)  
CLASS ACTION

**Plaintiff:**

vs.

ADECCO USA, INC.,  
and DOES 1 through 100, inclusive.

**JOINT CASE MANAGEMENT  
CONFERENCE**  
**HON. EDWARD M. CHEN / ROOM 5**

## Defendants

**DATE: NOVEMBER 16, 2017  
TIME: 10:30 A.M.  
ROOM: 5**

1 By and through their respective counsel of record, Plaintiff Kaitlyn Shepardson  
2 (“Plaintiff”) and Defendant ADECCO USA INC, (“Defendant”) hereby submit this Joint Case  
3 Management Statement:

4 Plaintiff filed the proposed class action on or about August 18, 2015. Defendant  
5 removed the action to this Court and filed a Motion to Compel single plaintiff arbitration  
6 pursuant to the Arbitration Agreement between the parties. The Court granted Defendant’s  
7 Motion to Compel single plaintiff arbitration pursuant to the arbitration agreement, which  
8 contains a ban on class actions.

9  
10 After the Court ruled on the Motion to Compel in this case, the Ninth Circuit Court of  
11 Appeal in *Morris v. Ernst Young* held that bans on class actions in arbitration agreements  
12 violate the National Labor Relations Act. The United States Supreme Court granted review of  
13 the *Morris v. Ernst Young* decision to resolve the enforceability of class actions bans in  
14 arbitration agreements in light of the National Labor Relations Act. This matter was stayed  
15 pending resolution of this issue as it may impact whether the ban on class actions in this case is  
16 valid.

17  
18 The Supreme Court held oral argument on October 2, 2017. As of the date of this  
19 submission, the Supreme Court has yet to render a decision.

20  
21 Should the Supreme Court issue their Opinion by November 13, 2017 the parties will be  
22 prepared to discuss at the CMC how to proceed based on the outcome of *Morris v. Ernst*  
23 *Young*. Should the Supreme Court not issue their Opinion by November 13, 2017, the parties

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1 request a two-week continuance to allow the Supreme Court to rule.  
2

3 DATED: NOVEMBER 6, 2017  
4

5 **RIGHETTI • GLUGOSKI P.C.**  
6

7 By: /s/John Glugoski  
8 John Glugoski  
9 *Attorneys for Plaintiff*  
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11 **BRYAN CAVE LLP**  
12

13 BY: /S/JULIE PATTERSON  
14 JULIE PATTERSON  
15 *Attorneys for Defendant*  
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## ORDER

Based on the foregoing Stipulation and good cause appearing, IT IS HEREBY ORDERED AS FOLLOWS:

The Case Management Conference set for November 16, 2017 shall be continued to December 12, 2017 at 2:30 p.m. The stay of this action shall remain in effect pending the resolution of Morris v. Ernst Young. A Joint Case Management Conference Statement shall be due December 5, 2017

Dated: October <sup>11/14</sup>, 2017

